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6 Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 || v.

14 JOSE MANUEL CHAVEZ ZEPEDA, and  
DENIS ZACARIAS PONCE CASTILLO

## Defendants.

CASE NO. 2:22-CR-0064-JAM

**STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
ORDER**

DATE: June 21, 2022

TIME: 9:30 a.m.

COURT: Hon. John A. Mendez

## STIPULATION

1. By previous order, this matter was set for status on June 21, 2022.

2. By this stipulation, defendants now move to continue the status conference until

September 20, 2022, at 9:30 a.m., and to exclude time between June 21, 2022, and September 20, 2022, under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case

includes more than 5,300 pages of investigative reports, photographs, phone toll records, and other materials, as well as video and audio recordings. More than 2,400 pages of this discovery has been produced directly to counsel. In addition, the parties recently reached agreement on a stipulated protective order. Upon entry of that order, the government will produce the remaining materials (more than 2,900 pages) to counsel subject to the protective order; the government has

1 made those materials available for review by defense counsel while the parties were discussing  
2 the protective order.

3 b) Counsel for defendants desire additional time to review the discovery, to review  
4 the charges and potential responses to the charges with their clients, to conduct factual  
5 investigation and legal research, and to otherwise prepare for trial.

6 c) Counsel for defendants believe that failure to grant the above-requested  
7 continuance would deny them the reasonable time necessary for effective preparation, taking into  
8 account the exercise of due diligence.

9 d) The government does not object to the continuance.

10 e) Based on the above-stated findings, the ends of justice served by continuing the  
11 case as requested outweigh the interest of the public and the defendant in a trial within the  
12 original date prescribed by the Speedy Trial Act.

13 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
14 et seq., within which trial must commence, the time period of June 21, 2022 to September 20,  
15 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
16 T4] because it results from a continuance granted by the Court at defendant's request on the basis  
17 of the Court's finding that the ends of justice served by taking such action outweigh the best  
18 interest of the public and the defendant in a speedy trial.

19 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
20 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
21 must commence.

22 IT IS SO STIPULATED.

23  
24 Dated: June 16, 2022

PHILLIP A. TALBERT  
United States Attorney

25  
26 /s/ DAVID W. SPENCER  
DAVID W. SPENCER  
27 Assistant United States Attorney  
28

1 Dated: June 16, 2022

/s/ Clemente Jimenez

Clemente Jimenez  
Counsel for Defendant  
JOSE MANUEL CHAVEZ ZEPEDA

4 Dated: June 16, 2022

/s/ Etan Zaitsu

Etan Zaitsu  
Counsel for Defendant  
DENIS ZACARIAS PONCE  
CASTILLO

9 **ORDER**

10 IT IS SO FOUND AND ORDERED this 16<sup>th</sup> day of June, 2022.

11 /s/ John A. Mendez

12 THE HONORABLE JOHN A. MENDEZ  
13 UNITED STATES DISTRICT COURT JUDGE